

REMARKS

Favorable consideration of this application is respectfully requested.

Claims 1, 3, 4, 6-13, 15-18, and 20-26 are currently active in this case. Claim 2 has been canceled, and Claims 1, 3, 13 and 17 have been amended by way of the present response. Each amended claim is supported by the specification and claims as originally submitted, and no new matter has been added.

In the outstanding Official Action, the Oath/Declaration was objected to; Claims 1-4, 6, 7, 10, 13, 15-18, 20, 21 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* (U.S. Patent No. 6,233,464) in view of *Watanabe et al.* (U.S. Patent No. 5,675,641, hereinafter *Watanabe*) and *Sumner* (U.S. Patent No. 6,091,947); Claims 8, 9, 22 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* in view of *Sumner*, *Watanabe* and *Rhodes* (U.S. Patent No. 6,343,120); Claims 10 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* in view of *Sumner*, *Watanabe* and *Link, II et al.* (U.S. Patent No. 6,334,054, hereinafter *Link*). Claims 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* in view of *Sumner*, *Watanabe*, *Rhodes* and *Cannon et al.* (U.S. Patent No. 6,026,152, hereinafter *Cannon*). Claims 12 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* in view of *Sumner*, *Watanabe* and *Wang et al.* (U.S. Patent No. 6,161,134, hereinafter *Wang*). Claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Chmaytelli* in view of *Sumner*, *Watanabe* and *Harrison* (U.S. Patent No. 6,240,302).

Objections To The Oath/Declaration

A new Oath/Declaration is forthcoming but is not attached to this response.

Rejections Based on 35 USC § 103

Independent Claim 1 explicitly recites a method of managing phone calls on a personal digital assistant having a wireless handheld phone device, the method comprising, among other things,

“checking an attachment status of an *earplug device*, wherein the speaker device is configured for use on the wireless handheld phone device, *wherein*

the earplug device is fixed in a housing of the personal digital assistant”.
(emphasis added)

It is respectfully submitted that this limitation is neither taught nor suggested by any combination of *Chmaytelli*, *Watanabe*, and *Sumner*. The Office Action mentions that *O’Sullivan* teaches checking an attachment status of a speaker device (Column 15, Lines 40-41). It’s important to note, however, that *O’Sullivan* is generally directed to a laptop device having limited phone capabilities. *O’Sullivan* is not directed toward a more portable type of wireless handheld phone device. The infrastructure of a wireless handheld phone device is quite different than the infrastructure of the laptop device described in *O’Sullivan*. Likewise, the methodology of providing a speaker device on a wireless handheld device is quite different than the methodology of providing a speaker device in the laptop device described in *O’Sullivan*. A user interacts with a wireless handheld phone device in quite a different a user may interact with the laptop device of *O’Sullivan*.

Further, *Watanabe* does suggest the use of a speaker or a detachable earplug. However, *Watanabe* does not teach or suggest the use of an earplug device that is fixed in the housing of a PDA. This distinction is significant. When an earplug device fixed in the housing of the PDA, as recited in Claim 1 of the present invention, the PDA tends to resemble a wireless handheld telephone during certain operations. Claim 1 recites managing phone calls on a personal digital assistant having an earplug device fixed in the PDA housing. This arrangement is significantly more elegant than a PDA having a cumbersome speaker or a detachable earplug, and would not have been obvious in light of the cited references.

Accordingly, the cited combination of references neither teach nor suggest independent Claim 1. Thus, it is respectfully requested that the rejection to independent Claim 1 be withdrawn.

Independent Claims 3, 13 and 17 recite limitations similar to the emphasized limitations of Claim 1. For example, independent Claim 3 explicitly recites a method of managing phone calls to a wireless handheld phone device of a personal digital assistant, the method comprising, among other things,

“managing a phone call to the wireless handheld phone device, wherein managing the phone call is based on the status of the radio switch and the status of the network coverage, wherein the step of managing comprises receiving the phone call if *an earplug* device is plugged in, wherein the *earplug* device is configured to be electrically connected to the wireless phone

device, wherein the *earplug* device is plugged in if the *earplug* device is electrically connected to the personal digital assistant and is configured to emit sound waves related to signals received from the personal digital assistant, *wherein the earplug device is fixed in a housing of the personal digital assistant*". (emphasis added)

Independent Claim 13 recites a personal digital assistant comprising, among other things:

"an earplug device detector configured to determine if an earplug device is electrically connected to the personal digital assistant, wherein the earplug device is configured to be connected to the wireless handheld phone device, wherein the earplug device is fixed in a housing of the personal digital assistant". (emphasis added)

Independent Claim 17 recites a computer-readable medium carrying one or more sequences of one or more instructions for managing a phone call to a wireless handheld phone device of a personal digital assistant, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of, among other things:

"determining a status of an earplug device, wherein the earplug device is configured to be electrically connected to the wireless phone device, wherein if the earplug device is plugged in, the earplug device is electrically connected to the personal digital assistant and is configured to emit sound waves related to signals received from the wireless handheld phone device of the personal digital assistant, wherein the earplug device is fixed in a housing of the personal digital assistant". (emphasis added)

Accordingly, independent Claims 3, 13 and 17 are allowable for similar reasons independent Claim 1 is allowable, Likewise, dependent Claims 4, 6-12, 15, 16, 18, and 20-26 are allowable for similar reasons there respective base claims are allowable.

Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance. An early and favorable action is respectfully requested.

The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, **referencing Attorney Docket No. 358732.00400. A duplicate sheet is attached.**

Respectfully submitted,
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Dated: September 17, 2004

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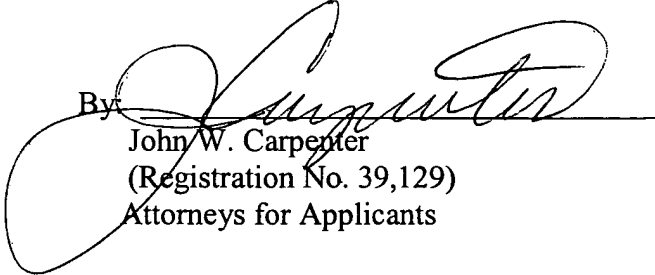
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